

# FAMILY COURT MATTER

## RESPONSE TO REQUEST TO ESTABLISH CHILD CUSTODY AND PARENTING TIME FOR UNMARRIED PARENTS WHO HAVE FILED A RECOGNITION OF PARENTAGE

**Forms to use when responding to a Petition to Establish Custody and Parenting Time:**

*Answer and Counterpetition to Establish Custody and Parenting Time (CHC202)*

*Responsive Affidavit Regarding Custody and Parenting Time (CHC203)*

*Instructions – Financial Affidavit for Child Support (FAM101)*

*Financial Affidavit for Child Support (FAM102)*

*Form 11.1 – Confidential Information Form (CON111)*

*Form 11.2 – Confidential Financial Source Documents (CON112)*

*Affidavit of Personal Service or Affidavit of Service by Mail (SOP102, SOP104)*

Helpful materials may be found at your public county law library. For a directory, see <http://mn.gov/law-library/research-links/county-law-libraries.jsp>. For more information, contact your court administrator or call the Minnesota State Law Library at 651-296-2775.

## IMPORTANT NOTICES

- You **CANNOT** use these forms if there is already a court order awarding custody.
- If your child is the subject of a child in need of protection or services (CHIPS) proceeding or certain delinquency proceedings, the court may be not able to immediately decide a request to establish custody.
- Court personnel and the county attorney's office **CANNOT** help you fill out court forms.
- You should see an attorney if you do not know how to answer the questions on these forms or if you think the other party will hire an attorney.
- The court expects every person who appears in court without an attorney to know and follow the law. If you act as your own attorney, you must do what an attorney would do.
- Type your answers or print neatly using dark ink.
- If you need more space to answer a question, use an additional full sheet of paper.
- **Where to Get a Certified Copy of the Recognition of Parentage ("ROP")**

**Certified Copies** of the Minnesota Recognition of Parentage can be obtained by completing and notarizing the required form provided by the Minnesota Department of Health. You can get the form from the Minnesota Department of Health website at <http://www.health.state.mn.us/divs/chs/osr/certrop.pdf>, or you can call 651-201-5970 to request a copy of the form. There is a fee for a certified copy. The completed form and fee should be mailed to:

Minnesota Department of Health  
Recognition of Parentage Program  
Office of the State Registrar  
P.O. Box 64499  
St. Paul, MN 55164-0499

# INSTRUCTIONS

## Step 1

### **Fill Out the *Answer and Counterpetition to Establish Custody and Parenting Time* Form (CHC204)**

Fill out the *Answer and Counterpetition to Establish Custody and Parenting Time* form. The *Answer and Counterpetition to Establish Custody and Parenting Time* is divided into two parts. The first part gives the court your response to the Petitioner's requests in their *Petition to Establish Custody and Parenting Time*. The second part gives the court information about you, the other parent, your children, other court orders, and your requests for custody, parenting time, and child support.

#### **FILL IN THE TOP PART OF THE FORM:**

- Fill in the County and Judicial District where the case is filed.
- Write in the court file number, if applicable. If the other party's documents have a court file number listed, you can put that number on your *Answer and Counterpetition to Establish Custody and Parenting Time*. If no number is listed on their paperwork, then leave the court file number blank.
- On the line after "In Re the Custody of," print the name and birth date of each child involved in this case.
- On the line marked "Petitioner," print the other party's name as it appears on the *Petition to Establish Custody and Parenting Time*.
- On the line marked "Respondent," print your full name.

#### **FILL OUT THE REST OF THE FORM:**

**NOTE:** The following instructions are numbered the same as the paragraphs/questions on the *Answer and Counterpetition to Establish Custody and Parenting Time* form.

**For each of the following four questions, look at each paragraph numbered 1 through 11 in the *Petition to Establish Custody and Parenting Time*. For each paragraph of the *Petition*, you must say whether it is true, not true, partly true and partly not true, or state that you do not have enough information to answer the statement.**

1. If a paragraph is TRUE, put that paragraph number on the lines provided.
2. If a paragraph is NOT TRUE, put that paragraph number on the lines provided.
3. If a paragraph is partly true and partly not true, put that paragraph number on the lines provided.

4. If you don't know whether a paragraph is true or not true, put that paragraph number on the lines provided.

**Answer questions 1-11 starting on Page 2 of the form, which gives the court information about you, the other party, and the minor children involved in this case.**

1. Check whether Petitioner is the father or mother of the minor children. Provide the name and address of the Petitioner. If the current address of the other parent is unknown or unavailable to you, write "unknown" or "unavailable."
2. Check whether you are the father or mother of the minor children. Provide your complete name and address where you live.
3. Provide the full name and birth date of the children involved in this action.
4. If the children currently live with you, check the box for "Me." If the children currently live with the other parent, check the box for "Other parent" and provide the full name of the other parent on the blank line. If the children currently live with someone else, check the box for "Other person" and provide the full name of this person.

Provide the street address, city, county, state, and zip code of where the children are living. Fill in the date of how long the children have lived at that address. If the children have lived at the current address less than six months, provide the dates and locations of where the children have been living during the last six months.

5. If Petitioner included a certified copy of the Recognition of Parentage (ROP) with their *Petition to Establish Custody and Parenting Time*, check the first box.

If Petitioner stated in their Petition that they requested a copy of the ROP and will file it when they receive it, check the second box.

If you will be providing the court with a certified copy of the ROP, check the third box.

6. Check YES if there is a court-appointed guardian or conservator for the children and fill in all requested information (Court File number, County, State, and name of guardian/custodian). Check NO if no appointment has been made.
7. Read what *legal custody* and *physical custody* mean and check the appropriate boxes based on what you are requesting.
8. Check YES if there is a child protection case for the children and fill in all information (County, State, Court File Number, child protection worker's name). Check NO if no such case is open.

9. Check YES if there is a current *Order for Protection* (OFP) between you and the other parent and fill in all information (other parent's name, County, State, and Court File Number).

Check NO if there is no order or current *Order for Protection* case. If there is an Order for Protection and the Petitioner did not include a copy with the Petition, you should provide a copy to the court, but this is only necessary if the Order is from a different county or state than this Custody and Parenting Time case.

10. Parenting time is the time a parent spends with the children, regardless of who has custody of the child. If you are asking for joint physical custody, check the boxes to grant parenting time to the Petitioner and Respondent. If you are asking for sole physical custody, check the box to grant parenting time to the other parent. Or, if you think your children would not be safe alone with the other parent, you can ask the court to make parenting time "supervised." You must explain why supervision is needed in the *Responsive Affidavit Regarding Custody and Parenting Time* (Step 3). **NOTE:** Supervised parenting time is not likely to be ordered unless unsupervised visits will cause harm to the children. If you check "deny parenting time," you are asking that the court give the other parent NO parenting time. You must explain why no parenting time should be ordered in the *Responsive Affidavit Regarding Custody and Parenting Time* (Step 3).
11. Child support is money parents pay for the care, support, and education of the children. It may include a monthly court-ordered amount for basic support, child care support, and medical support. The MN Department of Human Services (DHS) has created a child support calculator to estimate the amount of child support that the court may order on a case. The calculator is on the DHS website at <http://childsupportcalculator.dhs.state.mn.us/>.

Check the first box if there is no existing child support order and you want the court to establish child support. Check the second box if you are not asking the court to establish child support. Check the third box if there is an existing child support order for the children and fill in all of the information (County, State, court file number).

**FILL OUT PARAGRAPHS 1-6 where it says "The Respondent requests that the court grant the following relief."**

1. Check the same box as you checked in Paragraph 7a.
2. Check the same box as you checked in Paragraph 7b.
3. Check the same box as you checked in Paragraph 10.
4. Only check this box this box if you checked the first box in Paragraph 11.
5. You do not have to write anything for this paragraph.
6. Read a. through d. carefully. By signing your name you are telling the court that you are telling the truth and that you have a good faith reason for your requests. If you are not telling the truth or if you are misleading the court or if you are serving or filing this document for an improper purpose, the court can order you to pay money to the other party or impose other sanctions.

Fill in your address and phone number. Then date and sign the *Answer and Counterpetition to Establish Custody* form.

## Step 2

### Fill Out the *Responsive Affidavit Regarding Custody and Parenting Time* Form (CHC203)

Fill out the *Responsive Affidavit Regarding Custody and Parenting Time* form. This form tells the court and the other party WHAT you are asking for from the court.

- Fill in the top part of the form the same way you did on your *Answer and Counterpetition to Establish Custody and Parenting Time* form in Step 1.
- Write your name on the blank line above paragraph/question number 1.

Signing the Affidavit under penalty of perjury means you are stating that the information in the *Responsive Affidavit* is true to the best of your knowledge. Perjury is the crime of intentionally lying or misrepresenting the truth, punishable by jail or other sanctions.

**NOTE: The following instructions are numbered the same as the questions on the *Responsive Affidavit Regarding Custody and Parenting Time*.**

1. You do not need to write anything for this paragraph.
2. Check whether a child protection case is or is not now taking place in Minnesota or in any other state. If it is, list the County, State, court file number of the case, and the name of the child protection worker. If you have any juvenile court orders or papers from the child protection worker, include a copy of these with your *Responsive Affidavit Regarding Custody and Parenting Time*.
3. Check whether an *Order for Protection* involving you and the other party or children is or is not now in effect in Minnesota or in any other state. If it is, write in the county, state and file number, and include a copy of the *Order for Protection* with your *Responsive Affidavit*.
4. Check off whether the children currently live with you, the other party, or another person. Write your relationship to the children as well as other party's relationship to the children. List the children's current address, and how long the children have lived that address.
5. Check off who should have **legal** custody of the children the same as you did on your *Answer and Counterpetition to Establish Custody and Parenting Time* and write in the reasons you think this is best for the children.
6. Check off who should have **physical** custody of the children the same as you did in your *Answer and Counterpetition to Establish Custody and Parenting Time*. If you are asking for joint physical custody, write in the schedule you think is best for the children.

7. Write in why your request for physical custody is best for the children. Include as many details and facts as possible for each factor listed so the court can make a decision. The court considers best interest factors to determine custody if there is no custody order. Include details about each of the following factors:
- Describe the children's physical, emotional, cultural, spiritual, and other needs and the effect of the proposed arrangements on the children's needs and development;
  - Describe the children's special medical, mental health, or education needs that may require special parenting arrangements or access to recommended services;
  - Explain the custody arrangement the children want;
  - Describe any domestic abuse in both your household and in the other parent's household;
  - Describe the physical, mental, or chemical health issues either parent may have that affects the children's safety or developmental needs (chemical health issues may mean issues with drugs, alcohol, or other illegal substances);
  - Describe how each parent has participated in providing care for the children by writing down what you and the other parent have done in the past as well as each and every day to take care of the children;
  - Write down how you and the other parent will maintain consistency in providing care and meeting the ongoing developmental, emotional, spiritual, and cultural needs of the children;
  - Describe how changes to home, school, and community will affect the children's well-being and development;
  - Describe the effect of the proposed arrangements on the ongoing relationships between the children and each parent, siblings, and other significant persons in the children's life;
  - Write down what you see as the benefits of the children to maximize parenting time with each parent and the detriment to the children in limiting parenting time with either parent;
  - Write down what you do to encourage and permit frequent and continuing contact by the other parent with the children and what the other parent does to encourage and permit frequent and continuing contact by the children with you;
  - Write down how you and the other parent are willing and able to cooperate in raising the children; how you and the other parent will maximize the sharing of information and minimize the exposure of the children to conflict; and what methods you and the other parent plan to use for resolving disputes regarding any major decisions concerning the life of the children.
8. Write down your response to paragraph 4 of the other party's *Affidavit in Support of Motion to Establish Custody and Parenting Time*.
9. Describe the parenting time schedule you think would be best for the children. Then write why you think your schedule is best for the children.
10. **Overnights.** Based on the parenting time schedule you described in paragraph # 5, list the number of overnights the children will have with each parent each year.
- The number should add up to 365. If parenting time is equal, use 182.5 overnights for each parent.
  - If one parent's parenting time is reserved, that parent has 0 overnights.

- c. “Overnight Equivalents” may count towards annual overnights. They may be used if a parent has significant time periods on separate days where the children are with the parent yet do not stay overnight.

If you need help calculating the number of overnights, look at the FAQs (frequently asked questions) of our “Child Support” Help Topic online at <http://mncourts.gov/Help-Topics/Child-Support.aspx#tab02Faqs>.

You can also find help on the Minnesota Department of Human Services’ website: <https://mn.gov/dhs/people-we-serve/children-and-families/services/child-support/>.

11. What is your response to the other party’s requests for parenting time?
12. Check off whether you are asking for supervised parenting time. If you want supervised parenting time, write down why. Be specific about the reasons you believe the other parent’s parenting time should be supervised. The court will grant parenting time that enables the children and the other parent to maintain a parent-child relationship that will be in the best interest(s) of the children. If you are requesting supervised parenting time or other limits, write in the things that have happened and are likely to happen that will put the children’s physical or emotional health in danger, or will impair the children’s emotional development if the parenting time is unsupervised. Write in the name of the person or agency you would like to supervise the parenting time.
13. Check off whether the other party is requesting supervised parenting time. If YES, write down your response to paragraph 6 of the other party’s *Affidavit in Support of Establishing Custody and Parenting Time*.
14. Check whether you are requesting that the children be transferred at a parenting time exchange center if one is located in the area and for both parties to follow all rules of the parenting time exchange center. If yes, write in why this is in the children’s best interests. If no, write in a specific location other than a parenting time exchange center for the transfer and write in the reasons for that request. **NOTE:** The parenting time exchange center may require the parties to pay a fee for each exchange.

Questions 15 through 36 provide the court with information to be able to determine appropriate child support. Answer all applicable questions to the best of your knowledge. Much of the financial information will be repeated when you complete the *Financial Affidavit for Child Support* in Step 4.

37. Write in any additional information you think might be helpful to the court when it considers your response and request to establish custody and parenting time of the children.

## Step 4

### Complete the *Financial Affidavit for Child Support* Form



If child support is being requested, fill out the form called *Financial Affidavit for Child Support*. This form asks for your income information. The information you put on the *Financial Affidavit for Child Support* should be the same in the *Affidavit in Support of Responsive Motion to Establish Custody and Parenting Time*. The *Financial Affidavit for Child Support* has separate instructions that you should read. It is very important to attach to the *Financial Affidavit for Child Support* any proof you have regarding your income. This proof may include the last 3 months of pay stubs, income tax returns, or other documents. Make sure the copy of the *Financial Affidavit for Child Support* you provide to the other party also has copies of your proof of income attached.

## Step 5

### Complete Confidential Information Forms

**NOTE!** Certain information is considered confidential and not available to the public. To keep this information private and not available to the public, you must attach Form 11.1 or Form 11.2 to certain documents that contain confidential information.

See Rule 11 of the Minnesota General Rules of Practice for more information. One form can be used for all documents containing confidential information. Examples of documents that have confidential information include:

- Paycheck stubs, employer statements, W-2 forms, or business income and business expenses
- Copies of your tax returns and schedules
- Bank statements
- Credit card statements
- Check registers

To protect your privacy, the other party, and your children, all social security numbers, employer identification numbers, and financial account numbers must not be listed on papers you file with the court. You must use Form 11.1 when providing these confidential numbers to the court. Form 11.1 can be found at [www.mncourts.gov/forms](http://www.mncourts.gov/forms) under the court forms category of “Confidential Information” and is court form number CON111. Failure to do this means these numbers could be available to the general public and you could be charged court costs and the court may order other sanctions against you for the failure to keep your and the other party’s social security number, employer identification number, and/or financial account numbers private. **If these numbers are already on file with the court, you do not need to submit another Form 11.1.**

## Step 6

### Make Copies of Forms

1. Make **two (2) copies** of the following documents:

- *Answer and Counterpetition to Establish Custody and Parenting Time*,

- *Responsive Notice of Motion and Motion to Establish Custody and Parenting Time*,
  - *Affidavit in Support of Responsive Motion to Establish Custody and Parenting Time*,
  - *Financial Affidavit for Child Support* (if applicable), and
  - All attachments.
2. Keep one copy of each form for yourself (make sure you bring your copies with you to court on the day of the hearing).
  3. Step 7 tells you how to serve the second copy of each form upon the other party. Step 9 tells you how to file the forms with the court.

## Step 7

### Serve Notice on the Other Party

You must arrange for the other party to receive complete copies of all documents you have prepared for the hearing. This is called "service of process." **A party to an action is not allowed to serve the other party to the action.** You must have someone else who is over the age of 18 serve the other party. The papers may be served by mail, or personally. **You CANNOT be the person to serve the forms.** Papers cannot be served on legal holidays.

The deadline for serving all of your forms depends on how you serve them and whether you are raising new issues in your *Responsive Notice of Motion to Establish Custody and Parenting Time*. However, your *Answer and Counterpetition to Establish Custody and Parenting Time* MUST be served within **twenty (20) days** of being served with the *Summons and Petition to Establish Custody and Parenting Time*. If you do not serve your *Answer and Counterpetition to Establish Custody and Parenting Time* within those twenty (20) days, your response may not be considered.

#### **To personally serve the other party, follow these instructions:**

1. The server (not you) hands the other party (or their attorney, if they have one) one copy of all of the completed forms listed in Step 6 above.
2. The server must give the papers to the other party (or their attorney, if they have one) either:
  - a. **At least five (5) days before the hearing date AND within twenty (20) days of being served with the *Summons and Petition to Establish Custody and Parenting Time*** if the papers only respond to issues raised in the other party's *Notice of Motion and Motion to Establish Custody and Parenting Time*.

**OR**

**b. At least ten (10) days before the hearing AND within twenty (20) days of being served with the *Summons and Petition to Establish Custody and Parenting Time*** if the papers raise new issues other than those raised in the other party's *Notice of Motion and Motion to Establish Custody and Parenting Time*.

**To serve the papers by mail, follow these instructions:**

1. The server (not you) places one copy of all of the completed forms listed in Step 6 above in an envelope. Then the server writes your return address and the last known address of the other party (or their attorney, if they have one) on the front of the envelope. Make sure that the correct amount of postage is placed on the envelope.
2. The server must mail the envelope containing the forms to the other party (or their attorney, if they have one) either:

**a. At least eight (8) days before the hearing AND within twenty (20) days of being served with the *Summons and Petition to Establish Custody and Parenting Time*** if the papers only respond to issues raised in the other party's *Notice of Motion and Motion to Establish Custody and Parenting Time*.

**OR**

**b. At least thirteen (13) days before the hearing AND within twenty (20) days of being served with the *Summons and Petition to Establish Custody and Parenting Time*** if the papers raise new issues other than those raised in the other party's *Notice of Motion and Motion to Establish Custody and Parenting Time*.

**WARNING:** The court may ignore your response if you do not serve and file the responsive papers on time. If you do not know when your papers must be served, either ask an attorney for advice, or serve the papers at least thirteen (13) days before the hearing AND within twenty (20) days of being served with the *Summons and Petition to Establish Custody and Parenting Time*.

## **Step 8**

### **The Person Who Served the Papers Fills Out the *Affidavit of Service* Form**

If your server personally handed the legal papers to the other party, see "A" below. If your server mailed your legal papers to the other party, see "B" below.

**A. FOLLOW THESE INSTRUCTIONS ONLY IF THE SERVER PERSONALLY HANDED THE PAPERS TO THE OTHER PARTY**

- **After** the forms have been hand-delivered to the other party (or their attorney, if they have one), **the person who handed the papers to the other party or their attorney** must fill out the *Affidavit of Personal Service* form. This proves to the court that the other party received a

copy of the *Answer and Counterpetition to Establish Custody and Parenting Time, Responsive Notice of Motion and Motion to Establish Custody and Parenting Time, Affidavit in Support of Responsive Motion to Establish Custody and Parenting Time, Financial Affidavit for Child Support*, and supporting documents. The person who served the papers signs the Affidavit under penalty of perjury. By signing the Affidavit under penalty of perjury, the server is stating that the information in the Affidavit is true to the best of his / her knowledge. Perjury is the crime of intentionally lying or misrepresenting the truth, punishable by jail or other sanctions.

- Fill out the top part of the form the same as you did on all of your other paperwork.
- Fill in the following:
  - the name of the person who handed the forms to the other party;
  - the date of birth of the person who handed the forms to the other party;
  - the date that the papers were personally served (handed to the other party);
  - the name of the person to whom the papers were given; and
  - the address of the location where the documents were served.

- Print the name and address of the person who handed the forms to the other party.

**After the Affidavit of Personal Service has been signed, make a copy of it for your records.**

**B. FOLLOW THESE INSTRUCTIONS ONLY IF THE PAPERS WERE MAILED TO THE OTHER PARTY**

- **After** the envelope containing the forms has been mailed to the other party (or their Attorney, if they have one), then **the person who placed the envelope in the mail must fill out the Affidavit of Service by Mail form.** This proves to the court that the other party was served with a copy of the *Answer and Counterpetition to Establish Custody and Parenting Time, Responsive Notice of Motion and Motion to Establish Custody and Parenting Time, Affidavit in Support of Responsive Motion to Establish Custody and Parenting Time, Financial Affidavit for Child Support*, and supporting documents. The person who served the papers signs the Affidavit under penalty of perjury. By signing the Affidavit under penalty of perjury, the server is stating that the information in the Affidavit is true to the best of his / her knowledge. Perjury is the crime of intentionally lying or misrepresenting the truth, punishable by jail or other sanctions.
- Fill in the top part of the form the same as you did on all of your other paperwork.
- Fill in the following:
  - the name of the person who mailed the envelope;
  - the date of birth of the person who mailed the envelope;
  - the date on which the person put the envelope in the mail;
  - the address of the other party; and
  - the city and state where the envelope was put in the mail.

- Fill in the name and address of the person who mailed the forms to the other party.

**After it has been signed, make one copy of the *Affidavit of Service by Mail* for your records.**

## Step 9

### File the Forms with the Court

**File the following documents with the court at least five (5) days before the hearing date (or ten (10) days if your papers raise new issues not included in the other party's *Notice of Motion and Motion to Establish Custody and Parenting Time*). You can mail them to the court, but you must allow three (3) extra days for mailing - put them in the mail at least eight (8) days before the hearing, (or thirteen (13) days before the hearing if the papers raise new issues).**

#### **FILE:**

- The *Answer and Counterpetition to Establish Custody and Parenting Time*,
- The *Responsive Notice of Motion and Motion to Establish Custody and Parenting Time*,
- The *Affidavit in Support of Responsive Motion to Establish Custody and Parenting Time*, and all attachments;
- The *Financial Affidavit for Child Support with attachments* - if applicable;
- The *Confidential Information Form (Form 11.1)* – if applicable,
- The *Confidential Financial Source Documents (Form 11.2)* – if applicable, and
- The *Affidavit of Personal Service* or *Affidavit of Service by Mail*

Contact Court Administration in the county where the case is filed to find out the amount of the filing fee. Make checks payable to “Court Administrator.”

If you cannot afford to pay the filing fee, a judge may waive it under certain circumstances. Ask Court Administration for the *In Forma Pauperis* (IFP) (Fee Waiver) forms or download the forms at <http://www.mncourts.gov/default.aspx?page=513&item=93&itemType=packetDetails>. You need to fill out the forms and sign them. Your fee waiver forms will be reviewed by a judge who will determine whether you must pay the filing fee or if it can be waived. If the judge does not sign the form which waives the fee, you must be prepared to pay the filing fee. The court administrator cannot accept your forms without the filing fee or a waiver signed by a judge.

## Step 10

### Appear in Court

**You must go to court on the date set for the hearing. Be sure to be on time.** Bring with you to the hearing your copies of the papers you filed with the court.

**If you disagree with the other party's request, there will usually be two court hearings. At the first hearing, the judge or judicial officer will only consider the written paperwork you and the other party filed. The first hearing is short – up to 30 minutes.** Do not bring witnesses and evidence

to the first hearing, unless instructed to by the court administrator/deputy. Usually the judge will not listen to live testimony at the first hearing. You will only have the opportunity to make a brief statement summarizing your position.

**The hearing is very formal. You are expected to know and follow the court rules of procedure.** You should be respectful to the other party and to everyone in the courtroom. Do not interrupt the judge or other party. Try to stay calm, and avoid unnecessarily criticizing the other party. Answer any questions from the judge honestly. Direct all your comments to the judge or judicial officer, not the other party.

After the hearing the judge will issue an *Order*. The judge may issue the *Order* at the end of the hearing or may send a copy of the *Order* to you in the mail.

On many occasions at the end of the first hearing the judge or judicial officer will ask for a custody evaluation in order to have someone gather facts to help the judge or judicial officer make a decision. A trained individual completes an evaluation of both homes and interviews witnesses and documents. This person then makes a recommendation to the court. If a custody evaluation is ordered, the gap between the first, short hearing and the second evidentiary hearing often will be at least several months. **Both parties will be expected to pay the cost of such evaluation, which must be paid in full before completion of the evaluation.**

Finally, be aware that this matter may be scheduled for a Settlement Conference. The purpose of the Settlement Conference is to facilitate discussions with a judge in settling the case before trial. Each of you will be expected to be present at that Settlement Conference, along with the person who completed the custody evaluation. You will be expected to seriously consider settlement proposals that would be in the best interests of the child/children.